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JUN 20 2000  
Office of Director  
Technology Center 1600

In re Application of:  
DUPRE, JOHN  
Serial No.: 09/280,020  
Filed: March 29, 1999  
For: Treatment of Diabetic

### DECISION ON PETITION

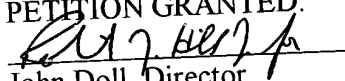
This is a decision on the petition, filed February 23, 2000, to withdraw the holding of abandonment. Note, the petition has been treated under the provisions of 37 CFR 1.181.

On June 18, 1999, a non-final rejection was mailed to applicant. On January 18, 2000, a Notice of Abandonment was mailed to applicant which indicated that the application was abandoned for failure to respond to the June 18, 1999 Office action. On February 23, 2000, the present petition was filed.

Petitioner asserted that on December 29, 1999, applicant did file a response to the June 18, 1999 Office action. Along with the petition, petitioner filed copies of the papers filed on December 29, 1999 as well as the required evidence that such papers were actually filed on that date.

From this, it is clear that applicant did properly and timely respond to the June 18, 1999 Office action. Accordingly, the petition is hereby GRANTED. The application has been returned to pending status. The copy of the response filed with the petition has been entered and the application forwarded to the examiner for appropriate action in a timely manner.

PETITION GRANTED.

  
John Doll, Director  
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